

**TOWN OF EAST HAMPTON
AGENDA REPORT**

Agenda Item: 6a

Item to be presented by:
Ruth Checko Parks and Recreation Director

DATE: March 20, 2014

SUBJECT: East Hampton High School/Sears Park Tennis Courts

DEPARTMENT: Parks and Recreation

RECOMMENDED ACTION

It is recommended that the construction contract for the East Hampton High School/Sears Park Tennis Courts Project be awarded to the lowest qualified bidder, Vermont Recreational Surfacing & Fencing, Inc. P.O. Box 147, Barnet, VT. 05821. In the amount not to exceed \$27,000.00; High School \$18,000.00 and Sears Park \$9,000.00. This allows us to do the work of both base bids, the alternates, and if needed, the additional work on a per linear foot basis.

Vermont Recreation's Bid Breakdown

East Hampton High School Tennis Courts

Base Bid #1: Crack Repairs \$6,375.00

Alternate #1A: Line and resurface 6 courts \$9,800.00

Add Alternate #1B: Per linear foot price over 375 L.F. as specified \$17.00/LF

Deduct Alternate #1C: Per linear foot price under 375 L.F. as specified \$17.00/LF

Sears Park Tennis Courts

Base Bid #1: Crack Repairs \$1,500.00

Alternate #2A: Root Removal \$940.00

Alternate #2B: Resurface and Line 2 Tennis Courts \$4,600.00

Add Alternate #2C: Per linear foot price over 250 L.F. as specified \$4.00/LF

Deduct Alternate #2D: Per linear foot price under 250 L.F. as specified \$4.00/LF

BACKGROUND

Sealed bids were opened on March 19, 2014. Out of 2 bids received, Vermont Recreational Surfacing & Fencing, Inc. submitted the lowest total base bids in the amount of \$6,375.00 for the High School, \$1,500.00 for Sears Park and alternate bids of \$9,800 for the High School, \$5,540.00 combined for Sears Park. They also included all necessary documentation in their bid.

See attached Bidders Tabulation Sheet.

Vermont Recreational Surfacing & Fencing, Inc. has completed similar projects for the Town of East Hampton and performed very well.

ALTERNATIVE ACTIONS

N/A

FISCAL IMPACT

There is money in the Capital Improvement fund for these projects.

BID RESULTS (3-19-2014)

Project: #030514HS/SP-TC

East Hampton High School/Sears Park Tennis Courts

15 North Maple Street/66 North Main Street

East Hampton, Ct 06424

[illegible]

Resolution
Town Facilities Evaluation Committee

WHEREAS: between the years 2005-2008, the Town of East Hampton went through a major review of its Towns' Facilities, contracting with Friar Associates to lead this review;

WHEREAS: The Friar report found Town Facilities lacked space impacting the efficiency and effectiveness of the services delivered to residents;

WHEREAS: minimal work has been done since 2008 to substantially change or enhance the Towns' Facilities;

WHEREAS: Connecticut Light and Power, located immediately behind the Town Hall/ Police Department, has announced a major expansion in East Hampton;

WHEREAS: The Town of East Hampton stands to benefit from this expansion;

WHEREAS: The Board of Education has publicly stated concerns with the quality of the facility at Center School;

WHEREAS: The Town of East Hampton also has concerns about the impact on operations of increased driveway traffic and decreased parking as a result of the expansion.

NOW THEREFORE BE IT RESOLVED; the Town Council creates the Town Facilities Evaluation Committee with nine (9) total members whose charge shall be to review and develop and report to the Town Council with a plan for all Town Facilities to provide an efficient work environment for Town Staff, better services for residents of East Hampton while considering the tax impact of this project and other projects in Town.

Membership shall be appointed by the Town Council with a term that will terminate on October 1, 2014. The committee shall be made up of one (1) member of the Town Council, one (1) member of the Board of Finance, one (1) member of the Planning & Zoning Commission, (1) member of the Board of Education and five (5) members of the public who demonstrate knowledge of building, design, architecture, engineering or other related fields.

Ex officio members of the committee will include the Town Manager, or his designee. The Town Manager will budget for and supply staff for the committee to take notes and minutes of committee meetings.

FURTHERMORE BE IT RESOLVED, The Town Council has created the Town Facilities Evaluation Committee with the express intent to:

1. review all Town facilities and the 2005-2008 Friar report;
2. request funds for the development of formal plans;
3. review all possible option for solving the facility challenges in East Hampton;
4. develop a plan for solving the issues of space, quality and efficiency with the intent to increase services to residents including cost and designs;
5. report findings to the Board of Finance and Town Council by September 30, 2014.

Resolution
Town Facilities Building Committee

WHEREAS: between the years 2005-2008, the Town of East Hampton went through a major review of its Towns' Facilities, contracting with Friar Associates to lead this review;

WHEREAS: The Friar report found Town Facilities lacked space impacting the efficiency and effectiveness of the services delivered to residents;

WHEREAS: minimal work has been done since 2008 to substantially change or enhance the Towns' Facilities;

WHEREAS: Connecticut Light and Power, located immediately behind the Town Hall/ Police Department, has announced a major expansion in East Hampton;

WHEREAS: The Town of East Hampton stands to benefit from this expansion;

WHEREAS: The Town of East Hampton also has concerns about the impact on operations of increased driveway traffic and decreased parking as a result of the expansion.

NOW THEREFORE BE IT RESOLVED; the Town Council creates the Town Facilities Building Committee with ~~seven (7)~~ nine (9) total members whose charge shall be to review, plan, design and build or renovate Town Facilities to provide an efficient work environment for Town Staff, better services for residents of East Hampton while considering the tax impact of this project and other projects in Town.

Membership shall be appointed by the Town Council with a term that will terminate at the completion of building or the failure of two referendums. The committee shall be made up of one (1) member of the Town Council, one (1) member of the Board of Finance, one (1) member of the Planning & Zoning Commission, (1) member of the Board of Education and ~~four (4)~~ five (5) members of the public who demonstrate knowledge of building, design, architecture, engineering or other related fields. The Committee shall continue as a complete group during their term regardless of changes in the composition of the Town Council, Board of Finance, Planning & Zoning Commission and Board of Finance.

Ex officio members of the committee will include the Town Manager, or his designee. The Town Manager will budget for and supply staff for the committee to take notes and minutes of committee meetings.

FURTHERMORE BE IT RESOLVED, The Town Council has created the Town Facilities Building Committee with the express intent to:

1. review all Town facilities and the 2005-2008 Friar report;
2. request funds for the development of formal plans;
3. develop a plan for solving the issues of space and efficiency with the intent to increase services to residents including cost and designs;
4. report findings to the Board of Finance and Town Council;
5. provide fact about the proposed project to the public throughout the town meeting and referendum process;
6. if approved, lead the design development and build out phase of the project;
7. at the completion turn the fully built and complete facility(ies) over to the Town.

AUTHORIZING RESOLUTION OF THE
EAST HAMPTON TOWN COUNCIL

I, Sandra M. Wieleba, Town Clerk of the Town of East Hampton, do hereby certify that the following is a true and correct copy of a resolution adopted by the East Hampton Town Council at its duly called and held meeting on Tuesday, March 25, 2014, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded or revoked and is at present in full force and effect:

RESOLVED, that the Town Council may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security, any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Michael Maniscalco, Town Manager of the Town of East Hampton, is authorized and directed to execute and deliver any and all documents on behalf of the Town Council and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents.

The undersigned further certifies that Michael Maniscalco now holds the office of Town Manager and that he has held that office since July 1, 2012.

IN WITNESS WHEREOF: The undersigned has executed this certificate this 26th day of March, 2014.

Sandra M. Wieleba, Town Clerk

EAST HAMPTON POLICE DEPARTMENT



RULES AND REGULATIONS

Executive Summary

Executive Summary

We are very excited to report to the council that we have completed the review process of the Standard Operating Procedures. Please understand that this is a “living and breathing” document that requires constant review and at times, update due to statutory regulation. The policies and procedures that are set forth within this manual are based on statutory requirements, case law, collective bargaining agreements and long standing best practices. There are very few portions of this manual that are “unique” to the Town of East Hampton for good reason.

These policies and procedures are the first step on long road to Level One, State Accreditation. Many of the policies and procedures within this manual have been written in compliance with state accreditation requirements. That said, by pursuing an already recognized, impartial accreditation certification, we can demonstrate to the community, we have sworn to protect, that we are conducting ourselves in the most professional manner possible.

We need to focus on rebuilding this police department from the inside out. Many departments face these same challenges in rebuilding the trust with the communities they serve. In a recent article written by Chief Thomas Grimaldi from the Bristol Police Department, he illustrates the path a department needs to take and the values they need to be committed to in order to rebuild that trust. The three core values Chief Grimaldi references in his correspondence are accountability, constancy and transparency. I have taken the liberty of attaching a copy of Chief Grimaldi’s article for your review. I have also attached an article from the Hartford Courant describing the importance of state accreditation.

While I know there maybe the desire to make our policies and procedures “tailor made” to East Hampton, in order to achieve an accredited status, we need to limit that manipulation. Having said that, I have highlighted the areas

where, should you choose to modify the policy or procedure it may be possible to do so.

Please also understand that this process has been over three years in the making and any changes will incur additional cost.

CHAPTER 1 - DEPARTMENT ROLE AND AUTHORITY

<u>Section</u> <u>Date</u>	<u>Subject</u>	<u>Effective</u>
1.1	EHPD Law Enforcement Function	
1.2	Limits of Authority	
1.3	Written Policy System	
1.4	Jurisdiction and Mutual Aid	
1.5	Harassment and Discrimination	
1.6	Investigatory Stop Policy	
1.7	Strip and Body Cavity Searches	
1.8	H.R. 218	
1.9	Bias Based Policing	

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the rules, regulations, laws, ordinances and their compliance. Moreover, it clearly defines word specific language with the rules and regulations leaving very little room for misinterpretation.

CHAPTER 2 – ORGANIZATION AND MANAGEMENT

<u>Section</u> <u>Date</u>	<u>Subject</u>	<u>Effective</u>
2.1	Department Organizational Structure	
2.2	Goals and Objectives	
2.3	Unity of Command/Span of Control	
2.4	Authority and Management	
2.5	General Management and Administration	
2.6	Promotions	
2.7	Line and Staff Inspections	

- 2.8 Public Information – Media Relations
- 2.9 Uniform Standards and Dress Code

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the rules, regulations, laws, ordinances and their compliance. Moreover, it clearly defines word specific language with the rules and regulations leaving very little room for misinterpretation.

CHAPTER 3 – RULES OF CONDUCT

<u>Section</u> <u>Date</u>	<u>Subject</u>	<u>Effective</u>
3.1	Use of Force – General	
3.2	Electronic Control Weapon	
3.3	Use of Chemical Agents	
3.4	Impact Weapons	
3.5	Reporting and Investigating Force	
3.6	Pursuit Policy	
3.7	Firearms Policy	
3.8	Patrol Rifles	

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the rules, regulations and is based on already existing statutes, ethical policies and statutory language.

CHAPTER 4 – DISCIPLINARY PROCEDURES

<u>Section</u>	<u>Subject</u>	<u>Effective Date</u>
4.1	Citizen Complaint	
4.2	Investigation of Misconduct and Citizen Complaints	
4.3	Disciplinary Policy and Matrix	
4.4	Off Duty Action Policy	
4.5	Grievance Procedures	
4.6	Employee Drug Testing Policy	
4.7	Alcohol & Substance Abuse	

4.8 Use of Medical Marijuana

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the rules, regulations and is based on already existing statutes, ethical policies and statutory language.

CHAPTER 5 – PATROL FUNCTIONS

<u>Section</u>	<u>Subject</u>	<u>Effective Date</u>
5.1	Patrol Administration	
5.2	Vehicle Operations	
5.3	Equipment	
5.4	Missing and Lost Persons	
5.5	Family Violence	
5.6	Mentally Ill and Homeless Individuals	
5.7	Arrest Processing	
5.8	Motor Vehicle Accident Investigations	
5.9	Traffic Enforcement	
5.10	Securing Prisoners	
5.11	Prisoner Transportation	
5.12	Mobile Data Computers	
5.13	Americans with Disabilities Act	
5.14	Social Media	
5.15	Report Writing	
5.16	Marine Patrol Operations	
5.17	Transporting Civilians	
5.18	Radio Procedures	

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the rules, regulations and is based on already existing statutes, ethical policies and statutory language.

CHAPTER 6 – INVESTIGATIVE FUNCTIONS

<u>Section</u>	<u>Subject</u>	<u>Effective Date</u>
6.1	Criminal Investigation Administration	
6.2	Criminal Investigation Operation	
6.3	Collection of Evidence – Administration	
6.4	Collection of Evidence – Operations	
6.5	Property and Evidence Control	
6.6	Youth Investigations	
6.7	Sexual Assault Investigations	
6.8	Confidential Informants	
6.9	Eyewitness Identification	
6.10	Child Abuse Investigation	
6.11	School Resource Officer	
6.12	Narcotics Investigations	
6.13	Crime Prevention	
6.14	Victim/ Witness Assistance – Administration	
6.15	Victim/Witness Assistance – Operations	

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the rules, regulations and is based on already existing statutes, ethical policies and statutory language.

CHAPTER 7 – SPECIAL OPERATIONS

<u>Section</u>	<u>Subject</u>	<u>Effective Date</u>
7.1	Bomb Threat, Special Response Team & Hostage Negotiations Team	
7.2	Hazardous Device Policy	
7.3	Crowd Management and Control	

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the rules, regulations and is based on already existing statutes, ethical policies and statutory language.

CHAPTER 8 – PERSONNEL

- 8.1 Recruitment
- 8.2 Selection
- 8.3 Promotion
- 8.4 Performance Evaluations
- 8.5 Pregnancy
- 8.6 FMLA policy
- 8.7 Sick Time
- 8.8 Vacation Time

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the existing rules, regulations mostly covered in the town employee handbook.

CHAPTER 9 - TRAINING AND SELECTIONS

- 9.1 Training – Administration
- 9.2 Academy Training
- 9.3 Training Instructors
- 9.4 Recruit Training
- 9.5 In-service, Roll Call, and Advanced Training
- 9.6 Civilian Training
- 9.7 Career Development

This Chapter clearly defines the expectations of the Town to the employees of the Police Department with respect to the rules, regulations and is based on already existing statutes, ethical policies and statutory language.

CHAPTER 10 – SUPPORT AND TECHNICAL SERVICES

- 10.1 Legal Process – Records
- 10.2 Legal Process – Criminal Process
- 10._ Records Administration
- 10._ Dispatch Center Operation

Attachment 1:

The Path to Rebuilding a Police Department Takes ACTION: Accountability, Consistency, and Transparency

**Written By: Chief Thomas Grimaldi
Bristol Police Department, Bristol CT**

Every police department, at one time or another, has had its low points. Some of which are more serious and more infamous than others. One only needs to look back through our history books to identify police departments clouded by scandals. In 1971, the Knapp Commission uncovered corruption in the New York City Police department, later chronicled in the movie *Serpico*. The late 1980's brought us a look into the Miami, FL Police Department in which nearly 10% of the force was suspended or fired after a drug related scandal. ¹ And, in 1998, the investigation into the Rampart Division of the Los Angeles Police Department was labeled as one of the most widespread police misconduct cases in United States history. Each scandal or issue affected those police department in a severely negative fashion.

While the three examples cited above are extreme cases, there are hundreds, if not thousands of more incidents in our police departments that adversely affect how we operate. Issues such as abuse of sick leave, rouge officers, and negative attitudes may not equal the scope of those cited, but they do have some commonalities. The biggest issues are the loss of public trust and the loss of spirit by the many good officers with whom we serve. To combat those issues, we, as leaders, must ACT. ACT is an acronym that I created to help guide me through the rebuilding process of the Bristol Police Department. It stands for accountability, consistency, and transparency. These three simple values can help guide any leader in the formation of a sturdy foundation with which to rebuild a police department.

ACCOUNTABILITY

Accountability is defined as an obligation or willingness to accept responsibility, or to account for one's actions.² Often, we throw this word around without much thought behind it. Yet, most law enforcement professionals will agree that accountability is paramount to the affective operation of any police department. A department's first step is establishing accountability. An important concept of accountability that is often forgotten or neglected is the act of clearly conveying the department's expectations and establish some reasonable goals. How can we hold someone accountable if they don't know what they are responsible for? It seems like a simple concept, but is often forgotten. Of course, we must be accountable to the public, whom we protect and serve on a daily basis. We must also hold our officers and ourselves responsible to properly address the community's concerns with integrity and professionalism.

¹ Drug Related Police Corruption: The Miami Experience. Kim M. Lersch; 2001 Prentice Hall Publishing.

When our officers know what is expected of them and the department's mission and vision is clear, accountability is more easily achieved by all. If officers fail to meet the mission due to negligence or intentional acts, action must be taken swiftly. Failure to do so will likely result in a lack of public confidence, a deterioration of officer morale from those who adhere to these ideals and believe in the police department's mission, and will certainly communicate the wrong message to both officers and the public. If the actions of the officer(s) who fail to meet the mission are not adequately addressed in a timely manner, the remaining officers who do believe in the mission will quickly become non-believers. We, as leaders of our organizations, must also be accountable to our officers and civilian employees. We must provide the support and tools needed to properly enforce the laws and serve our communities. They are looking for competent leadership, which includes having clear expectations, being treated fairly, and being consistent. This leads me to the "C" in ACT.

CONSISTENCY

Consistency in policing, providing services to all citizens, and in dealing with our officers is of very high importance. Inconsistency can be viewed as arbitrary and selective policing. This issue alone has been the disgrace of many a police department. As law enforcement professionals we must be consistent in the services we provide to all of our citizens. Again, failure to do so results in the loss of public confidence and will send the wrong message to our officers. As stated earlier, if strong, clear expectations are conveyed and supported, along with the authority to meet them, officers will more likely be consistent in their approach to all calls for service to all citizens. We must also be consistent in the treatment of our officers. When an officer is found responsible for Wrong doing, he/she must be held accountable for the violation in a swift, fair, and consistent manner. Subjective personal feelings cannot be allowed to creep into the decision-making process when evaluating the need for, or amount of discipline to be conferred. Conversely, when an officer is commended for a job well done, that too must be consistent and not overstated or understated.

Transparency

Public trust affects each of us. From the chief of police to the newest patrol officer, public trust and confidence in a police department can make each of our jobs easier. Equally, lack of public trust and confidence has the potential to turn our jobs into a nightmare. Being an "open book", or transparent organization will assist in gaining the public's trust and confidence of our own officers. When one truly believes and subscribes to the notion of transparency, it becomes part of the decision making process and decreases the chance of an embarrassing story on the evening news or a destructive headline in the following day's newspaper. Simply put, transparency has a tendency to force one to act accordingly! When the message of transparency is consistently expressed throughout the police department, it will help instill trust and confidence from citizens and officers alike.

Conclusion

While a police department's reputation can be destroyed in the blink of any eye, rebuilding a police department can be a lengthy project. When morale may be at an all-time low, citizens' attitudes toward the police may be resentful, and officers are no longer proud of the police department they work for, it would be easy to pack it in and call it a career. True leaders, however, accept the challenge of restoring public confidence in his/her police department and its' officers. While it may be impossible to overcome all negative comments or issues within a police department, we must understand that there are certain factors we can control to help re-establish our police department as a professional and vital part of the community. Utilizing the concepts of ACT (accountability, consistency, and transparency) will help guide one on the path of rebuilding the reputation of a police department. Failure to ACT would be a mistake.

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Attachment #2

Courant.com

Most Municipal Police Departments In State Not Accredited

But many starting to seek the credentials

By JOSH KOVNER, jkovner@courant.com

The Hartford Courant
4:14 PM EST, February 17, 2014

Chief Jack Drumm used accreditation – the law-enforcement version of that badge of competence so crucial to schools and hospitals – to help pull the scandal-laden Madison police department out of the rubble.

Chief Carl Sferrazza has used it as a template for 18 years to maintain the Enfield Police Department's standing as one of the most effective and cutting-edge agencies in the region.

Different chiefs. Different reasons. Same idea: Use the accreditation process -- that quest every three years to pass muster in the eyes of unforgiving outside evaluators – to initially force feed nationally tested standards to the police officers, and then watch the approach, over time, become ingrained in the department.

From high-speed pursuits, use of force, and preserving evidence, to racial profiling, handling prisoners and dealing with immigrants – cops who work for accredited departments can avoid the pitfalls of a backward agency – that dusting off of the outdated policy manual when there's a crisis, or learning upon moving to another shift that the new crew "does things their way."

But the list of accredited police departments in Connecticut is shorter than the public may think, despite the obvious benefits. Some chiefs say the accreditation process would strain department resources.

Only 29 of the 104 municipal, state, university and tribal police departments in Connecticut are accredited. That number represents all of the agencies with the exclusive, more costly national credential, or the state's version, which is free, offered in phases, and is relatively easier to attain. About half of the agencies have both designations.

But the percentage of credentialed agencies here is too low given the pace of reform nationally, and the serious missteps of some Connecticut police departments that have led to federal indictments, firings, or costly discipline, say state criminal-justice officials, police trainers, and police chiefs.

"I'd like to see more," said Harold T. "Ted" Lemay, the former Avon police lieutenant who has run the state's accreditation program at the Police Officers Standards and Training Council in Meriden for the last seven years.

"As a citizen, I'd like to see every department accredited," said Wethersfield Police Chief James Cetran, whose agency holds both the state and national credentials. "The department tends to be more professional and you know where you stand because you're standards have been tested against national practices."

Michael Lawlor, Gov. Dannel P. Malloy's criminal-justice adviser, said there's a clear trend among agencies nationally to adopt the newest and best procedures.

"And accreditation validates that," said Lawlor, adding that there have been early discussions in Connecticut about mandating some level of accreditation or tying it to grants or other funding.

"More and more leaders are recognizing the consequences of not keeping pace," said Lawlor, a former state representative in East Haven and former state prosecutor. "The East Haven Police Department is a case in point, but there are others. You expose yourself to multi-million dollar lawsuits, or Department of Justice investigations, or both."

Four East Haven police department members were convicted of federal civil-rights crimes in 2012 after a year-long DOJ probe of complaints that some East Haven cops were systematically harassing Latino residents, motorists and business owners. Chief Leonard Gallo retired after the justice department investigation.

The East Haven department is now directed by Chief Brent Larrabee, the former chief in Framingham, Mass., and Stamford, and a recognized innovator. The department is under a four-

year federal consent decree that requires a series of reforms. Larrabee intends to apply for state and national accreditation when the decree has been satisfied, a spokeswoman said.

Norwalk Police Chief Thomas Kulhawik, who heads a coalition of police executives that helps departments prepare for accreditation, said "it's inevitable" that the legislature at some point will attach strings to funding to push agencies to update procedures and seek outside evaluations.

Elusive goal

State and national accreditation programs are voluntary, and the majority of the nation's 18,000 state and local police departments are still not accredited.

A department seeking the credential has to have at least one person in charge of gathering all the "proofs" – the police reports, memos, logs, ledgers, even photographs and videos of certain department operations that prove the agency is following the standards it has adopted.

The process is tedious and the months preceding an on-site evaluation by an assessment team of experienced law officers are always intense. The run-up to the visit involves the efforts of several department members – something that could severely tax even a medium-sized agency.

Fairfield Police Chief Gary MacNamara's experience with the process has been frustrating but typical of a department that has given the process an honest try and just hasn't gotten over the hump yet.

"We want to do it," said MacNamara, who presides over a group of well-equipped, well-trained officers and a department with established internal-affairs procedures and an emphasis on community relations.

"It forces you to continually look at yourself and update your policies," the chief said.

But accreditation has been elusive. Just in the last few years, the department has had accreditation managers promoted out of the position, retire, or, in the case of the last manager who was making steady progress, become activated for military duty.

"We're in the process again," MacNamara said last week. He added that his agency is about ready to apply for "tier 1" accreditation from the state and host an assessment team from Lemay's program. The tier 1 level, the first of three phases, consists of the "high-liability" standards, such as pursuits, use of force, the booking of arrested people, the operation of the holding cells, and evidence handling. Tiers 2 and 3 deal with progressively more refined management and labor practices, and community relations, among other subjects.

"It's an important priority – we understand that," said MacNamara, "but it doesn't take priority over making the community safer."

People like Lemay and Chief Kulhawik can live with the Fairfield scenario, particularly because the department has kept at it, and because, the agency is probably at least "tier 1 compliant" already.

But what is distressing, they said, are the misconceptions that have kept some departments in the relative dark ages.

"You hear chiefs say they don't want outsiders telling them how to run their departments," said Lemay. "Well, that's not what the process does. It tells you what you need; you decide how you're going to do it."

Take pursuit, for example. A nationally vetted policy would require clear procedures for the initiating officer, the back-up officers, the supervisors, the dispatchers, and post-pursuit reports and documentation. The standard doesn't dictate when to start a chase or when to break it off, Lemay said.

Moving toward accreditation

There are signs that more departments in Connecticut are buying in. In addition to the 29 accredited agencies, another 27 have applied to the state program for at least tier 1 credentials. Though the applicants are working without deadlines and at their own pace, that's the largest enrollment in the 11-year history of the state program, Lemay said.

The applicants include the Hartford, Middletown and Bristol departments, agencies that are trying to distance themselves from scandal, recover from chronic problems, or instill wholesale change.

The FBI in the late 1990s and early 2000s conducted multiple corruption probes of the Hartford Police Department. The feds came away with the convictions of seven department members for civil-rights abuses, including on-duty sexual assaults of prostitutes. A succession of chiefs followed before the department began to gain traction.

The Middletown police brass has talked about accreditation for at least 14 years, but the agency has made little progress toward that goal. On Feb. 5, the city council approved spending \$60,000 for an investigation into complaints filed by four officers that accuse Police Chief William McKenna of trying to obtain prescription drugs from department members. On Feb. 7, an officer who had been demoted from lieutenant to patrol for undisclosed reasons, was fired for poor attendance. Last month, an officer was fired after being videotaped working at his auto business while on temporary disability leave.

For nearly six years, ending with leadership changes in 2011, the Bristol department was mired in a string of scandals that destroyed public trust.

A blueprint

Many of Enfield Police Department's 99 cops don't know what it's like to work for an agency that doesn't have the highest professional endorsement. Enfield first received national accreditation in 1996, and has aced every three-year evaluation cycle since.

Many of the standards, Sferrazza notes, require continual analysis of patterns and trends.

"What's our use-of-force experience? Are our incidents up year over year? Are we deploying more chemicals? This is one of the ways we flag training issues. It's the same for grievances or complaints. It all provides a blueprint for us to build on," said Sferrazza.

Enfield pays an annual \$4,030 "continuation fee" to the national program. The chief also has to figure in the time that his accreditation manager, Officer Thomas Pyrcz, spends on the process.

"Maybe I'm spending \$10,000 a year – but you know what I say to myself? I say that one lawsuit (alleging failure to train or faulty procedures) can cost \$1 million or more, just like that."

His officers are also proud to work for the department and the community supports the agency. Twenty-five residents came to a community hearing hosted by the assessors during the last evaluation visit – a turn-out that the lead assessor – an out-of-state police chief with 30 on-site examinations under his belt -- had never seen before.

Rebuilding a department

Sferrazza, chief since 2006, has been with the department 34 years, serving at every rank. He said he plans to spend his entire life in town.

Drumm has taken a different route. After a decorated, 25-year career with the state police, Drumm became chief of the Groton Long Point Police Department in 2004. Six years later, he applied to lead the Madison department and was chosen following a wide search. At the same time, a newly minted police commission had replaced a board that had appointed the previous police chief in a secret meeting – with predictably disastrous results.

Five cops had been fired for a dizzying array of transgressions, from burglaries to the electronic stalking of women, to receiving oral sex from prostitutes while on duty.

"I had a sister in Arizona telling me what was going on in Madison," said Drumm.

The first thing he did was hand the new commission a five-year plan. Part of that plan was winning national accreditation, which is hard enough for stable departments to earn. Drumm and Officer Joseph Race, a trained lawyer who became Drumm's accreditation manager, won the distinction after three and a half years of preparation. They'll travel to the awards dinner next month. During the exit meeting with the assessors, the team leader looked at Drumm across the table with a poker face. "He told me, 'Chief, you didn't improve the department.' I looked at Joe. 'What's going on?' Then he says, 'You rebuilt it.'"

Only 29 of the 104 municipal, state, university and tribal police departments in Connecticut are accredited. That number represents all of the agencies with the exclusive, more costly national credential, or the state's version, which is free, offered in phases, and is relatively easier to attain. About half of the agencies have both designations.

29 Accredited Police Agencies In CT

Avon Police Department **

Berlin Police Department **

CCSU Police Department x

Connecticut State Police **

Coventry Police Department **

Darien Police Department *2

Enfield Police Department **

Farmington Police Department **

Glastonbury Police Department **

Guilford Police Department **

Madison Police Department x

Meriden Police Department *1

Milford Police Department *3

Monroe Police Department *3

Naugatuck Police Department *3

New London Police Department*1

Newtown Police Department *1

Norwalk Police Department **

Redding Police Department*1

Ridgefield Police Department *3

Simsbury Police Department**

State Capitol Police **

UConn Police Department **

Wallingford Police Department *3

Waterford Police Department *1

Watertown Police Department *1

West Haven Police Department *3

Wethersfield Police Department **

Wilton Police Department *1

* state accreditation, tier 1, 2, or 3

** both state (all tier 3) and national accreditation

x national only

Police Departments That Have Applied, Are Awaiting Assessment

Bethel Police Department

Bloomfield Police Department

Bristol Police Department

Brookfield Police Department

Canton Police Department

Clinton Police Department

Danbury Police Department

East Hampton Police Department

East Hartford Police Department

East Windsor Police Department

Fairfield Police Department

Greenwich Police Department

Groton Police Department

Hartford Police Department

Middletown Police Department

New Britain Police Department

Newington Police Department

Norwich Police Department

Old Saybrook Police Department

Plainfield Police Department

Plainville Police Department

Seymour Rocky Hill Police Department

Shelton Police Department

South Windsor Police Department

SCSU Police Department

Southington Police Department

Stratford Police Department

Trumbull Police Department

Yale University Police Department

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MEMORANDUM FROM THE LAW OFFICES OF
HALLORAN & SAGE LLP
225 Asylum Street
Hartford Connecticut 06103

To: Michael Maniscalco, Town Manager

From: Duncan J. Forsyth

Date: March 21, 2014

Re: Tax Abatement Agreement with Edgewater Hill Properties, LLC

We have worked with the attorneys representing Steve Motto's company Edgewater Hill Properties, LLC f/k/a LCS Properties LLC ("EHP") to formalize the Tax Abatement Agreement approved by the Town Council on September 10, 2013. The draft agreement can be summarized as follows:

- EHP has acquired and combined 130, 138 & 140 East High Street into one parcel ("Property") for purposes of development of one commercial building of approximately 16,800 square feet and five, eight unit garden apartment buildings.
- Significant improvements will be made to the land including drainage systems and parking lots. The land will be valued separately from each of the building and will be given the appropriate value when the first C.O. for a building is issued. It is estimated that the cost of the Property infrastructure improvements will be approximately \$1,000,000 if the Developer does the work itself, higher if a third party contractor undertakes the work.
- Each building will be assessed upon the issuance of a C.O. at which time the five year abatement schedule would begin, commencing on October 1st following the issuance of its C.O. The developer will not be allowed to challenge the valuations placed upon the Property or buildings beyond the Board of Assessment Appeals.
- The assessments for the Property and each of the buildings would be in accordance with the following schedule:
 - Year 1: 0% of value
 - Year 2: 0% of value
 - Year 3: 25% of value
 - Year 4: 50% of value

- Year 5: 75% of value
- All buildings must be completed within five years of the execution of the Agreement. However, the commercial building and the first apartment building must be completed within twenty-four months of the execution of the Agreement or the Developer will be in default and lose abatements on future buildings.
- Each building will be on its own five year abatement cycle dependent upon the issuance of its C.O. Any building completed in the third year, or beyond, would be on a shorter cycle due to the seven year statutory time limitation for all abatements to be implemented.
- Once each five year cycle has run, each building will be subject to its full tax liability.

TAX ASSESSMENT AGREEMENT

THIS TAX ASSESSMENT AGREEMENT ("Agreement"), made and entered into as of March ___, 2014, by and between Edgewater Hill Properties, LLC, formerly known as LCS Properties, LLC ("EHP"), a limited liability company organized and existing under the laws of the State of Connecticut, having an office and principal place of business at 344 North Main Street, Marlborough, CT, and the Town of East Hampton, a municipal corporation located in the County of Middlesex and State of Connecticut, acting herein by Michael Maniscalco, its Town Manager (the "Town").

RECITALS

- A. EHP is building a mixed use development on East High Street, with the first phase ("Phase One") located at 130, 138 and 140 East High Street and consisting of an approximately 16,800 square foot commercial building ("Commercial Building") and five, eight unit garden apartment buildings (each an "Apartment Building" and collectively the "Apartment Buildings"); and
- B. Phase One will be located on real property more particularly described in Exhibit A attached hereto and made a part hereof (the "Real Property"). Phase One together with the Real Property is referred to herein as the "Property"; and
- C. Section 12-65b of the Connecticut General Statutes ("CGS") provides that a municipality may enter into a written agreement with a party owning an interest in real property, to fix the assessment of the real property for a period of not more than seven (7) years, provided the improvements made by the owner cost at least THREE MILLION DOLLARS (\$3,000,000.00) and are constructed for certain uses which include office, retail, permanent residential, transient residential, information technology, recreation facilities, manufacturing warehouse, storage, distribution; and
- D. The Property meets the requirements of CGS Section 12-65b, which permits tax assessment agreements under certain conditions, since the Property will be used for office, retail, permanent residential, transient residential as required by the statute; and

- E. The Town deems it desirable to enter into an agreement fixing the assessment with respect thereto as an inducement to EHP to develop the Property; and
- F. This Agreement has been authorized by an affirmative vote of the legislative body of the Town on September 10, 2013 in accordance with CGS Section 12-65b; and
- G. It is the intent of the parties hereto that this Agreement shall cover only the real property assessment and shall not affect any future personal property assessments.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

1. Fixed Assessment Period. The Fixed Assessment Period shall be a separate and distinct period for the Real Property which shall be established as of the date the first Certificate of Occupancy is issued for any building and for each of the Commercial Building and Apartment Building, commencing upon the October 1 following the date on which the Certificate of Occupancy for each such building is issued. By way of example only, and without limitation: (a). the Real Property shall be valued at its current level until the first Certificate of Occupancy is issued at which time it shall be revalued (the "Improved Real Property") and begin the Fixed Assessment Period as of the upcoming October 1; (b) if the Certificates of Occupancy for the Commercial Building and the first Apartment Building are issued on February 15th, the first Fixed Assessment Period for those two buildings will commence as of the upcoming October 1, even though no Fixed Assessment Period shall have begun for the incomplete remaining Apartment Buildings. Thereafter, upon completion of the next Apartment Building and issuance of the Certificate of Occupancy therefor, a separate Fixed Assessment Period shall begin with respect to that particular Apartment Building commencing the October 1st following the issuance of the Certificate of Occupancy for that particular Apartment Building. Each remaining Apartment Building shall be treated in the same manner; each receiving a separate commencement date and separate Fixed Assessment Period. Each first assessment year of the applicable Fixed Assessment Period for a particular building shall be designated as Year 1. The tax assessment on the Real Property only shall be fixed in the following manner:

- a. **Year 0** - The assessment made prior to the October 1 commencement date of each Fixed Assessment Period shall be fixed at the current land value of the Real Property and shall continue until the commencement of the applicable Fixed Assessment Period for each specific building or the Improved Real Property. The Certificates of Occupancy for the Commercial Building and first Apartment Building shall be obtained no later than twenty four (24) months after the execution of this Agreement or this Agreement shall be deemed null and void. EHP shall have up to five (5) years following commencement of the Fixed Assessment Period of the first Apartment Building in which to finish the rest of the Apartment Buildings and achieve a Certificate of Occupancy therefor subject to the lapse of the time limitation of the seven year period referenced in Section 12-65b. By way of example, if an Apartment Building were completed in the fourth year of this Agreement it would only get an abatement level equal to Year 3, referenced below. If EHP shall not complete all four remaining Apartment Buildings within said five (5) year period, this Agreement shall be applicable only to the Improved Real Property, the Commercial Building and those Apartment Buildings for which Certificates of Occupancy were issued. This Agreement shall be null and void as to the balance of the Apartment Buildings.
- b. **Year 1 – Year 2** - The assessments made on October 1 of Year 1 and Year 2 shall be fixed at the current land value of 130, 138 and 140 East High Street.
- c. **Year 3** - The assessment made on October 1, of Year 3 shall be fixed in such an amount and manner so as to yield an assessed valuation which is twenty five percent (25%) of the customary assessed valuation of the Property for the tax payments to be made the following July 1.
- d. **Year 4** - The assessment made on October 1, of Year 4 shall be fixed in such an amount and manner so as to yield an assessed valuation which is fifty percent (50%) of the customary assessed valuation for the tax payments to be made the following July 1.
- e. **Year 5** - The assessment made on October 1, of Year 3 shall be fixed in such an amount and manner so as to yield an assessed valuation which is seventy five percent (75%) of the customary assessed valuation for the tax payments to be made the following July 1.

2. Acceptance of Valuation. As a further inducement for the Town to enter this Agreement, EHP agrees to accept as correct the value placed upon the Improved Property by the Town at the time of the commencement of the applicable Fixed Assessment Period and any change in the valuation for any subsequent improvements to the subject building, and during the term of the applicable Fixed Assessment Period, EHP waives any rights to appeal said valuations under CGS Sections 12-111, 12-117a, or 12-119 or any successor statute, reserving the right, however, to appeal such assessment to the East Hampton Board of Assessment Appeals. The Town shall not change the assessed value of any particular building during the term of that building's Fixed Assessment Period, but if a town wide revaluation shall have occurred during such building's Fixed Assessment Period, the Town may cause a revaluation to be made of such building upon termination of the Fixed Assessment Period therefor. The Town shall not otherwise revalue the Property, except as part of a town-wide revaluation or upon any subsequent improvements. The purpose of this clause is to assure that the Town will be able to collect full taxes on the assessed value at the conclusion of the period of diminished taxes as set forth above and through any revaluation then in effect.
3. Default. If EHP defaults under the terms of this Agreement, EHP shall pay within thirty (30) days after the receipt of a bill therefore, to the Town such sum as may be set forth on said bill. It is agreed, however, that a failure to complete a building and receive a certificate of occupancy therefor shall not constitute a default hereunder.
4. Condemnation. In the event the Property or any part thereof, or any estate therein is taken by condemnation or eminent domain during said Fixed Assessment Period, the applicable fixed assessments specified in Section 1 shall be adjusted to reflect the diminution of value arising out of said taking, in the manner provided by state and local laws and ordinances.
5. Fire or Other Casualty. In the event the Property or any part thereof or any estate therein is damaged or destroyed by fire or other casualty during said Fixed Assessment Period, the applicable Fixed Assessment shall not be adjusted.

6. Amendments. This Agreement may not be modified or amended except by a written agreement signed by both parties.
7. Sale of Property. In the event the Property or any part thereof is sold to another party during the Fixed Assessment Period, the remainder of the Fixed Assessment Period shall continue to be effective with respect to the successor owner(s) of the Property.
8. Severability. A ruling by any court or administrative body that a portion of this Agreement is invalid or unconstitutional shall have no effect on the other terms hereof which shall remain in full force and effect and binding on the parties.
9. Applicable Law. This Agreement shall be interpreted and enforced in accordance with the laws of the State of Connecticut.

IN WITNESS WHEREOF, the parties have executed this Tax Assessment Agreement and affixed their seals hereto, as of the date first above mentioned.

Signed and delivered in the presence of:

Town of East Hampton

By: _____
Michael Maniscalco
Its Town Manager

Edgewater Hill Properties, LLC

By: _____
Steven J. Motto
Its Manager
Duly Authorized

State of Connecticut

ss. East Hampton

County of Middlesex

On this the ____ day of _____, 2014, before me, _____, the undersigned officer, personally appeared Michael Maniscalco who acknowledged himself to be the Town Manager of the Town of East Hampton, a municipality, and that he, as such town Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the town by himself as Town Manager.

In witness whereof I hereunto set my hand.

Commissioner of the Superior Court

STATE OF CONNECTICUT)

)

ss: Hartford

COUNTY OF HARTFORD)

On this the ____ day of _____, 2014, before me, _____, the undersigned officer, personally appeared Steven J. Motto, who acknowledged himself to be the Manager of Edgewater Hill Properties, LLC, a manager managed limited liability company, and that he, as such Manager, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as Manager.

In witness whereof I hereunto set my hand.

Commissioner of the Superior Court
Notary Public
My Commission Expires:



Substitute House Bill No. 5388

Public Act No. 13-34

AN ACT REQUIRING CITIES AND TOWNS TO DESIGNATE A VETERANS' SERVICE CONTACT PERSON.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 27-102l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(b) The commissioner may appoint a unit head to administer a veterans' advocacy and assistance unit for the aid and benefit of veterans, their spouses and eligible dependents and family members. Such unit shall conduct an annual training course for any city or town employee designated a veterans' service contact person pursuant to subsection (b) of section 27-135, as amended by this act. The unit shall have a staff of not less than eight men and women, including six service officers, and clerical personnel. The unit head and the service officers shall be veterans, as defined in section 27-103, or veterans who were awarded the armed forces expeditionary medal for service by the armed forces. At least one of the service officers shall be a woman having a demonstrated interest in the concerns of women veterans, who shall be responsible for addressing those concerns, and, effective upon the next opening of a service officer position occurring on or after July 1, 2010, at least two of the service officers shall be individuals

Substitute House Bill No. 5388

having bilingual proficiency in English and Spanish, within existing authorized positions. Each service officer shall successfully complete a course in veterans' benefits within one year of commencement of employment and shall be assigned to one of the five congressional districts of the state.

Sec. 2. Section 27-135 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2013*):

(a) Any city or town, either separately or with one or more other cities and towns, may, by ordinance, establish a local veterans' advisory committee which shall have the responsibility of carrying out locally the duties and purposes of this section and, within their charter powers and as otherwise provided by law, may make available to such local committees the necessary funds to carry out their duties and responsibilities. The committee may [(a)] (1) act as the coordinating agency in all matters concerning veterans and their dependents, coordinating the activities of public and private facilities concerned with veterans' reemployment, education, rehabilitation and adjustment to peacetime living; [(b)] (2) cooperate with all national, state and local governmental and private agencies in securing services and benefits to which a veteran or his dependents may be entitled; [(c)] (3) use the services and facilities of the veterans organizations so far as possible to carry out the purposes of this section; and [(d)] (4) encourage and coordinate vocational training services for veterans.

(b) Any city or town that (1) has not established a local veterans' advisory committee pursuant to subsection (a) of this section, and (2) does not otherwise provide funding for a veterans' service officer shall designate a city or town employee to serve as a veterans' service contact person in such city or town. Any city or town employee designated as a veterans' service contact person shall carry out the duties described in subsection (a) of this section and may complete an annual training course conducted by the veterans' advocacy and

Substitute House Bill No. 5388

assistance unit, as described in subsection (b) of section 27-102l, as amended by this act.

Approved May 24, 2013



AGENDA
ITEM # 13

Office of the COLLECTOR OF REVENUE
NANCY HASSELMAN, CCMC
nhasselman@easthamptonct.org

March 21, 2014

To: The East Hampton Town Council

Documentation of the below listed tax refunds are available in the Tax Office for your review if you so desire. The refunds total \$523.89.

Thank you for your assistance.

Nancy Hasselman

Nancy Hasselman, CCMC
Collector of Revenue

000

0.64

231.26 +

24.74 +

59.43 +

208.46 +

004

523.89 +